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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/632,017	08/02/00	BRIMER	J NORTH-358G/A

000542 IM22/0328
NORTHROP GRUMMAN CORPORATION
PATENT DEPARTMENT M/S 90/110/CC
1840 CENTURY PARK EAST
LOS ANGELES CA 90067-2199

EXAMINER

JACKSON, M

ART UNIT	PAPER NUMBER
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1773

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DATE MAILED: 03/28/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/632,017		Applicant(s) BRIMER ET AL.	
	Examiner Monique R Jackson		Art Unit 1773	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 25 January 2001.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 11 and 13-15 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 11, 13-15 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) <input type="checkbox"/> Notice of References Cited (PTO-892) 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 20) <input type="checkbox"/> Other: _____
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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 11, 13-15 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 11 and 15 recite the limitation “a **distinct polyimide** particulate component and a **distinct** cured powder adhesive component”, however, the original specification and claims were directed to a **polyamide** particulate not a **polyimide**, (note: polyimide is also recited in Claim 13.) Further, the original specification does not describe or support the use of the term “distinct...component” in describing the acid impervious coating.

Response to Arguments

3. Applicant's arguments with respect to claims 11 and 13-15 have been considered but are moot in view of the new ground(s) of rejection, specifically the new matter rejection wherein polyimide was substituted for polyamide in the amendment filed 1/25/01. The prior art rejections cited in the prior office action have been withdrawn considering these rejections were directed to an acid impervious coating comprising polyamide particulate not polyimide particulate as recited in the amended claims. However, if the new matter is removed and the claims revert back to polyamide, the claims will be subject to rejection under 35 U.S.C. 102 as

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anticipated by Tanaka et al or Merval et al as recited in the prior office action. Applicant's arguments with regards to Tanaka et al and Merval et al would not be persuasive. In terms of Tanaka et al, Applicant argues that Tanaka et al utilizes a zinc or zinc alloy plated steel plate however the instant claims do not preclude the use of a surface treated steel surface considering the claims state "**comprising** a steel surface having disposed thereon an acid impervious coating." In terms of Merval et al, the Applicant argues that the powder adhesive component taught by Merval et al is not cured after being applied as a coating. However, the Examiner takes the position that the heating of the powder coating after being applied to the substrate constitutes curing the powder adhesive to form a coated layer, and further, that the product produced is the same whether the adhesive is an adhesive product when initially combined with the polyamide or after it is coated on the substrate.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monique R Jackson whose telephone number is 703-308-0428.


The examiner can normally be reached on Mondays-Thursdays, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul J Thibodeau can be reached on 703-308-2367. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-5436 for regular communications and 703-305-3599 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



mrj
March 27, 2001



Paul Thibodeau
Supervisory Patent Examiner
Technology Center 1700